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## MEMO ENDORSED

April 23, 2025

### VIA ECF

Honorable Sidney H. Stein  
U.S. District Judge, Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: United States v. Robert Menendez, et al., Case No. 1:23-cr-00490-SHS**

Dear Judge Stein:

As the Court is aware, this Firm represents Defendant Wael Hana in the above-captioned matter. I write following the April 22, 2025 request of counsel for Mr. Menendez, ECF No. 834, which essentially sought a decision of his pending motion for bail pending appeal, in light of Mr. Menendez's required surrender date of June 6, 2025, approximately 45 days away. Mr. Hana respectfully raises the same concerns, which are even more pressing in light of his surrender date just over three weeks away, and asks that the Court adjourn that date.

As the Court knows, Mr. Hana filed a motion for bail pending appeal on February 5, 2025, which motion remains pending before Your Honor; it was fully briefed as of February 22, 2025, *see* ECF Nos. 744, 760, 765. Mr. Hana previously sought an adjournment of his April 4, 2025 surrender date on the basis of a number of factors, one of which addressed that pending motion, and sought additional time in order to allow for, if necessary, an appeal from the disposition of that motion, if necessary. The Court granted that adjournment request on March 25, 2025, and the date by which Mr. Hana must surrender to the custody of the Bureau of Prisons is now May 19, 2025, ECF No. 798, just over three weeks away. Should the Court deny the motion for bail pending appeal, Mr. Hana would seek relief from that denial in the United States Court of Appeals for the Second Circuit (as the Government may similarly do in the event the motion is granted). In order to allow for this Court to decide that motion and for any appeal to be filed, briefed, and argued pursuant to an appropriate and orderly schedule, and in advance of Mr. Hana's required surrender to serve his sentence, on behalf of Mr. Hana, we respectfully request that the Court adjourn his surrender date for an additional 45 days from May 19, 2025 to July 3, 2025.

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Of course, if Your Honor has any questions or concerns with regard to this request, please do not hesitate to call me. Thank you, as always, for your kind consideration of this matter.

Respectfully submitted,

s/ Lawrence S. Lustberg  
Lawrence S. Lustberg

## Application denied.

**Dated: New York, New York  
April 24, 2024**

**SO ORDERED:**